



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TRG
Docket No: 6611-99
12 July 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 6 July 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 9 September 1977 at age 18. The Board found that during 1978 you received two consecutive adverse performance evaluations. On 14 September 1978 you were diagnosed with a severe personality disorder and recommended for discharge by reason of unsuitability.

Based on this recommendation, you were processed for an administrative discharge. In connection with this processing, you elected to waive your right to submit a statement in response to the discharge action. The commanding officer stated in his recommendation for discharge, in part, as follows:

... she still remains unable to perform even the most basic tasks without constant supervision. Her behavior is highly irrational and unpredictable. Any confrontations she may have with her peers or supervisors results in explosive outbursts, threats or suicide or hysterical tantrums.

On 30 October 1978 the discharge authority directed the type of discharge warranted by your service record. You were issued a

general discharge on 13 November 1978.

Character of service when an individual was discharged due to unsuitability, was based, in part on conduct and overall trait averages which were computed from marks assigned during periodic evaluations. Your conduct mark average was 2.85. A minimum average mark of 3.0 in conduct was required at the time of your separation for a fully honorable characterization of service.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, diagnosed personality disorder and your contention that you were harassed by a chief petty officer. The Board found that these factors and contentions were not sufficient to warrant recharacterization of your discharge given your documented poor performance and conduct, and failure to achieve the required average mark in conduct. There is no evidence in the record, and you have submitted none, to show that you were harassed by a chief petty officer. Since you have been treated no differently than many others discharged by reason of unsuitability, the Board could not find an error or injustice in the issuance of the general discharge.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director